

LAW OFFICES OF ROBERT P. SPRETNAK
 Robert P. Spretnak, Esq. (Bar No. 5135)
 8275 S. Eastern Avenue, Suite 200
 Las Vegas, Nevada 89123
 Telephone: (702) 454-4900
 Fax: (702) 938-1055
 Email: bob@spretnak.com

GARCIA-MENOCAL & PEREZ P.L.
 Anthony J. Perez, Esq. (pro hac vice pending)
 350 Sevilla Avenue, Suite 200
 Coral Gables, Florida 33134
 Telephone: 305-553-3464
 Fax: 305-553-3031
 Email: ajperez@lawgmp.com

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

JOHN MEGGS, individually,

Plaintiff,

vs.

TROPICANA GARDENS, INC.,

Defendant.

Case No.: 2:23-cv-00619-JCM-EJY

**EX PARTE MOTION TO EXTEND
 TIME TO FILE PRO HAC VICE
 APPLICATION FOR LEAD
 COUNSEL**

(First Request)

Plaintiff JOHN MEGGS, by and through his local counsel of record in this matter, moves this Court for an extension of time to file the Verified Petition of Anthony J. Perez, Esq., lead counsel in this matter, to practice pro hac vice before this Court in this matter.

Plaintiff's Complaint, ECF No. 1, was filed April 21, 2023. Under LR IA 11-2(e), Attorney Perez's Verified Petition to practice pro hac vice is due to be filed with this Court by **May 5, 2023**. On behalf of Mr. Meggs, plaintiff in this matter, and for good cause as set forth below, local counsel asks for an extension of 14 days, to **May 19, 2023**, to file the application for Attorney Perez to practice pro hac vice before this Court.

This motion is filed ex parte, without notice to Defendant, because the Complaint has not yet been served and no attorney has yet made an appearance on behalf of Defendant.

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1 This motion is made pursuant to the following memorandum of points and authorities, and
2 the pleadings and papers on file with this Court.

3 DATED: 27 April 2023

4 Respectfully submitted,

5 LAW OFFICES OF ROBERT P. SPRETNAK

6 By: /s/ Robert P. Spretnak
7 Robert P. Spretnak, Esq. (Bar No. 5135)

8 8275 S. Eastern Avenue, Suite 200
9 Las Vegas, Nevada 89123

10 GARCIA-MENOCAL & PEREZ P.L.

11 By: Anthony J. Perez, Esq.
(pro hac vice pending)

12 350 Sevilla Avenue, Suite 200
13 Coral Gables, Florida 33134

14 Attorneys for Plaintiff

15 **MEMORANDUM OF POINTS AND AUTHORITIES**

16 The purpose of this motion is to ask this Court for an additional 14-day time period for local
17 counsel to file the Verified Petition for lead counsel in this matter, Anthony J. Perez, Esq., to practice
18 before this Court pro hac vice.

19 According to LR IA 11-2(e): “An attorney must comply with all provisions of this rule,”
20 referring to the rule governing admission to practice before this Court pro hac vice, “within 14 days
21 of his or her first appearance.” This is a case for injunctive relief and other available remedies under
22 Title III of the Americans with Disabilities Act (“ADA”), 42 U.S.C. § 12181 et seq., which prohibits
23 discrimination by private entities against individuals with disabilities in matters of public
24 accommodations. The Complaint, ECF No. 1, was filed in this matter on April 21, 2023. Therefore,
25 under LR IA 11-2(e), Attorney Perez’s Verified Petition to practice pro hac vice is due to be filed
26 with this Court no later than May 5, 2023.

27 Attorney Perez will serve as lead counsel in this matter because of his experience in litigation
28 cases under Title III of the ADA. Mr. Perez has not able to compile and transmit all the necessary

1 documentation for his pro hac vice application by this date.¹ Local counsel, Robert P. Spretnak,
2 Esq., is unavailable during the time of period of April 28, 2023, to May 10, 2023, due to a previously
3 scheduled vacation out of the country. Local counsel, therefore is not able to file the necessary
4 papers on behalf of Attorney Perez within the time allowed under LR IA 11-2(e). It is for this reason
5 that a brief extension of time is being requested.

6 Therefore, we respectfully ask that this Court briefly extend the deadline for Attorney Perez
7 to file his Verified Petition, in order to be allowed to practice pro hac vice before this Court in this
8 matter, from the current deadline of May 5, 2023, to a new deadline of May 19, 2023.

9 DATED: 27 April 2023

10 Respectfully submitted,

11 LAW OFFICES OF ROBERT P. SPRETNAK

12 By: /s/ Robert P. Spretnak
13 Robert P. Spretnak, Esq. (Bar No. 5135)

14 8275 S. Eastern Avenue, Suite 200
Las Vegas, Nevada 89123

15 GARCIA-MENOCAL & PEREZ P.L.

16 By: Anthony J. Perez, Esq.
17 (pro hac vice pending)

18 350 Sevilla Avenue, Suite 200
19 Coral Gables, Florida 33134

20 Attorneys for Plaintiff

21 IT IS SO ORDERED this 27th Day of April, 2023.

22 
23 ELAYNA J. YOUCHAK
24 U.S. MAGISTRATE JUDGE

25
26 ¹ This case is one of the first two cases in which Attorney Perez will be filing a Verified
27 Petition to practice pro hac vice in the United States District Court for the District of Nevada. The
28 other case, *John Meggs v. Botach, Inc., and Tigray Bar & Restaurant, LLC*, Case No. 2:23-cv-
00618-DJA, also was filed on April 21, 2023, also on behalf of Plaintiff Mr. Meggs, and also arising
under Title III of the ADA. This same motion is being filed in that case.